

STATEMENT OF SENATOR BROWNBACK
SENATE COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION
MARCH 29, 2000

Thank you Mr. Chairman for holding this hearing on an issue that is very important to our young student athletes as well as our colleges and universities. I am also pleased to have Senator Hatch with us at this hearing, as well as Congressmen Tim Roemer and Lindsey Graham who have introduced similar legislation in the House. Thank you for coming.

Earlier this year I introduced bipartisan legislation along with Senator Leahy which seeks to reduce the indecorous influences that gambling has on our student athletes and protect the integrity of collegiate athletics. I commend Chairman McCain for offering similar legislation and I am proud to be a cosponsor to S. 2667, the Amateur Sports Integrity Act.

The legislation that we have introduced is in direct response to recommendations made by the National Gambling Impact Study Commission (NGISC), which last year concluded a two-year study on the impact of legalized gambling on our country. The recommendation called for a ban on all legalized gambling on amateur sports and is supported by the National Collegiate Athletic Association (NCAA), which represents more than 1000 colleges and universities nationwide, coaches, teachers, athletic directors, commissioners, university presidents, school principals and family groups from across the country. This bill will prohibit all legalized gambling on high school and college sports, as well as the Summer and Winter Olympic Games.

This nation's college and university system is one of our greatest assets. We offer the world the model for postsecondary education. But sports gambling has become a black eye on too many of our colleges and universities.

Gambling on the outcome of college sporting events tarnishes the integrity of sport and diminishes the esteem in which we and the rest of the world hold U.S. postsecondary institutions. This legislation will remove the ambiguity that surrounds gambling on college sports and make it clearly illegal in all fifty states.

We should not gamble with the integrity of our colleges, or the future of our college athletes. Our young athletes deserve legal protection from the seedy influences of the gambling, and fans deserve to know that athletic competitions are honest and fair.

Gambling scandals involving student athletes have become all too common over the past 10 years. In fact, there have been more gambling scandals on our colleges and universities in the 1990's than in every other decade before it combined. These scandals are a direct result of an increase in gambling on amateur sports.

It was just two years ago during the Final Four that we learned of a point shaving scandal at Northwestern University involving their mens basketball team. This scandal involved both legal and illegal gambling on several Northwestern games. Kevin Pendergast, a former Notre Dame place-kicker who orchestrated

the basketball point-shaving scandal at Northwestern University, has stated that he would have never been able to pull his scheme off without the ability to legally lay a large amount of money on the Las Vegas sports books. In fact, the last two major point shaving scandals involved legalized gambling in Las Vegas sports books.

A study just conducted by the University of Michigan found that “84% of college referees said they had participated in some form of gambling since beginning their careers as referees. Nearly 40% also admitted placing bets on sporting events and 20% said they gambled on the NCAA basketball tournament. Two referees said they were aware of the spread on a game and that it affected the way they officiated the contest. Some reported being asked to fix games they were officiating and others were aware of referees who “did not call a game fairly because of gambling reasons.”

Opponents of our legislation have tried to discredit our efforts by insisting that we should be focusing our efforts on curbing illegal gambling, not legal. I agree that we should be looking at ways to help law enforcement and institutions for higher education combat illegal gambling. Legislation has been introduced that creates a panel to investigate and make recommendations with respect to illegal gambling. I am supportive of these efforts, but the fact remains that gambling on student athletes, whether legal or illegal, threatens the integrity of college sports.

Banning legalized gambling on amateur sports serves notice that

betting on college games or student athletes are not only inappropriate but can result in significant social costs. The National Gambling Impact Study Commission recognized the potential harm of legalized gambling by stating that sports gambling “can serve as gateway behavior for adolescent gamblers, and can devastate individuals and careers.”

Opponents have claimed that this is a state issue, not a federal one. This argument doesn’t hold water. Congress already determined this is a federal issue with the passage of Professional and Amateur Sports Protection Act (PASPA) in 1992. Ironically, while Nevada is the only state where legal gambling on collegiate and Olympic sporting events occurs, Nevada's own gaming regulations prohibit gambling on any of Nevada's teams because of the potential to jeopardize the integrity of those sporting events.

During a press conference on my legislation earlier this year I encouraged colleges and universities from across the country to ask the Nevada Gaming Control Board to prohibit any wagers from being “accepted or paid by any book” on their respective athletic teams in Nevada. Unfortunately, the Board refused the NCAA’s request, stating that “the same level of protection is already extended within each of these states.” What they failed to mention was that no state, except for Nevada, allows betting on college teams from other states. The frequency of point shaving scandals over the last decade is a clear indication that legal gambling on college sports stretches beyond the borders of Nevada, impacting the integrity of other state's sporting events.

I am a strong advocate of state's rights. However, state's rights means a state's authority to determine how best to govern within that state's own boundaries -- not the authority to set laws that allow a state to impose its policies on every other state while exempting itself. Gambling on college sports, both legal and illegal, threatens the integrity of the game -- and that threat extends beyond any one state's border.

A contributing factor in the prevalence of college sports betting and a reason why the NCAA's efforts alone are not enough to combat the problem is the media publication of Nevada-generated point spreads which fuel a much larger amount of illegal sports wagering. According to the National Gambling Impact Study Commission:

"Many Americans do not know that the majority of sports wagering in America is illegal. One reason Americans may not be aware of the illegality of sports wagering is that the Las Vegas "line," or point spread, is published in most to the 48 states where sports wagering is illegal."

It is my hope that if this legislation is enacted, there will be no moral or ethical basis for newspapers to publish the gambling odds on college sports and that the "sports touts" advertisements offering betting advice for a fee, so visible in almost every newspaper in the country, will disappear.

I realize that a ban on collegiate sports gambling will not eliminate all gambling on college sports. However, a total ban will prevent another avenue for those participating in point

shaving scandals to spread out their money. If enacted, there will be no ambiguity about whether it is legal or illegal to bet on college sports. As part of a broader strategy to re-sensitize the public to the problems associated with college sports gambling, it will make a difference. We should not wait for another point shaving scandal in order to act.

Thank you Mr. Chairman and I look forward to hearing the testimony from our witnesses here today.